

Appl. No.: 10/730,972
Amdt. dated 11/17/2005
Reply to Office action of 04/08/2005

REMARKS

Applicant appreciates the withdrawal of the prior restriction requirement. As such, Claims 1-23 were pending at the time of examination. Applicant also appreciates the confirmation that Claims 2, 5-7 and 13-15 defined patentable subject matter. Claims 2 and 5 have now been rewritten in independent form and are submitted to be in condition for immediate allowance, along with Claims 6 and 7 which depend from Claim 5.

The Official Action rejects Claims 8 and 16 under 35 U.S.C. §112, second paragraph, for being indefinite as a result of their inclusion of the term "sleevelike". Claims 8 and 16 have now been amended to recite "an annular member" so as to more definitively set forth the claimed invention, thereby overcoming the rejection under 35 U.S.C. §112, second paragraph. The Official Action also rejects Claims 1, 3, 4, 8 and 21-23 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,116,528 to Lloyd R. Poe. The Official Action further rejects Claims 17-19 under 35 U.S.C. §103(a) as being obvious over the Poe '528 patent and Claims 9-12, 16 and 20 under 35 U.S.C. §103(a) as being obvious over the Poe '528 patent in view of U.S. Patent No. 6,672,547 to Peter Westerberg, et al. Independent Claims 1, 10 and 17 have now been amended to further patentably distinguish the claimed invention from the cited references, taken either individually or in combination. As a result of the amendments to the original independent claims, dependent Claims 8, 15, 16 and 18-20 have also been correspondingly amended and Claims 21-23 have been canceled. In view of the following remarks, Applicant respectfully requests reconsideration of the present application and allowance of the pending set of claims.

Independent Claim 1 describes an apparatus for attaching a cable to a structure that includes an elongated rod having a varying cross-section in a longitudinal direction, first and second elongate sleeves mounted on the elongated rod and at least one attachment element carried by at least one of the sleeves. Since the apparatus is designed to engage a structure, attachment of a cable to the attachment element effectively attaches the cable to the structure. As now amended, the apparatus includes first and second elongate sleeves mounted on the elongated rod in a first position to facilitate insertion of a portion of the first sleeve in a hole defined by the structure and a portion of the second sleeve in the first sleeve. See, for example,

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Figure 2 of the present application. As further amended, independent Claim 1 recites that the first and second sleeves are capable of being axially translated along the elongated rod to a second position to facilitate engagement of the portion of the first sleeve within the hole and the portion of the second sleeve within the first sleeve. See, for example, Figure 3 of the present application. Thus, at least two sleeves can be mounted on the elongated rod in such a manner that the first sleeve can be inserted into the hole so as to engage the structure and the second sleeve can be inserted into and thereafter engage the first sleeve.

Neither of the cited references teaches or suggests an apparatus as recited by amended independent Claim 1. In particular, neither of the cited references teaches or suggests an apparatus for attaching a cable to a structure that includes first and second elongate sleeves mounted on an elongated rod and adapted to move axially along the elongated rod between first and second positions in such a manner that the first sleeve can be inserted into a hole so as to engage the structure and the second sleeve can be inserted into and thereafter engage the first sleeve. In this regard, neither reference teaches or suggests the use of multiple sleeves with the Poe '528 patent describing a single sleeve movable along an elongated rod for insertion into a hole and subsequent engagement of a structure, but failing to teach or suggest a second sleeve mounted upon the elongated rod for insertion into and subsequent engagement of a first sleeve, as now recited by amended independent Claim 1. Similarly, the Westerberg '547 patent discloses a holder mounted upon a fastener member, but does not teach or suggest multiple holders designed to engage one another. Indeed, it is instructive to note that those original dependent claims, such as Claims 7 and 15, that introduced a plurality of sleeves were found by the Official Action to define patentable subject matter.

For each of the foregoing reasons, Applicant submits that amended independent Claim 1, as well as Claims 3, 4, 8 and 9 that depend therefrom, are not taught or suggested by the cited references, taken either individually or in combination. As such, the rejection of Claims 1, 3, 4, 8 and 9 is therefore overcome.

Independent Claims 10 and 17 have also been amended to recite the first and second sleeves and the interplay therebetween. In this regard, amended independent Claim 10 also defines an apparatus for attaching cables to a structure that includes an elongated rod, first and

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second elongate sleeves mounted on the elongated rod and a tie member capable of attaching the cable to at least one of the first and second sleeves. As now amended, independent Claim 10 further recites that the first and second sleeves are mounted upon the elongated rod in a first position and are capable of being axially translated along the elongated rod to a second position such that the first sleeve expandedly engages within a hole defined by the structure while the second sleeve expandedly engages the first sleeve. Likewise, amended independent Claim 17 recites a method of attaching a cable to a structure that includes the steps of: (i) providing an elongated rod and first and second elongate sleeves that are capable of being axially translated along the rod, (ii) inserting a portion of the first sleeve into a hole defined by the structure, (iii) translating the first and second sleeves axially along the rod to facilitate positive engagement of the first sleeve within the hole and positive engagement of the second sleeve with the first sleeve, and (iv) attaching at least one cable to the first and/or second sleeve(s).

For at least the reasons described above in conjunction with independent Claim 1, amended independent Claims 10 and 17 are not taught or suggested by the cited references, taken either individually or in combination. For example, neither of the cited references teaches or suggests an apparatus for attaching cables to a structure that includes first and second sleeves that are capable of being axially translated along the elongated rod from a first position to a second position such that the first sleeve expandedly engages within a hole defined by the structure while the second sleeve expandedly engages the first sleeve, as now recited by amended independent Claim 10. In addition, neither of the cited references teaches or suggests a method for attaching a cable to a structure including the provision of first and second sleeves and the translation of the first and second sleeves axially along an elongated rod to facilitate positive engagement of the first sleeve within the hole and positive engagement of the second sleeve with the first sleeve, as now recited by amended independent Claim 17.

For each of the foregoing reasons, Applicant submits that amended independent Claims 10 and 17, as well as Claims 11-16 and 18-20 that depend therefrom, are not taught or suggested by the cited references, taken either individually or in combination. As such, the rejection of Claims 1-20 is therefore overcome.

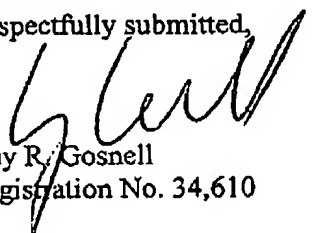
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Conclusion

In view of the amendments to the claims and the foregoing remarks, it is respectfully submitted that all of the claims of the present application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

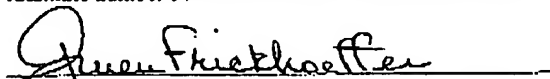


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Gwen Frickhoeffer

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Date

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